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Human Rights Council

Thirty-fifth session

6-23 June 2017

Agenda item 3

Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

Andorra,* Azerbaijan,* Brazil, Egypt,* Ethiopia, Fiji,* Israel,* Japan, Morocco,*
Republic of Korea, Thailand,* Ukraine,* Venezuela (Bolivarian Republic of),
Zambia;* draft resolution

35/... Elimination of discrimination against persons affected by leprosy and their family members

The Human Rights Council,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights, and recalling relevant international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with these resolutions and monitor thereon,

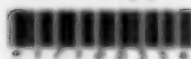
Recalling also Human Rights Council resolutions 6/13 of 18 June 2008, 12/7 of 1 October 2009, 15/10 of 30 September 2010 and 20/5 of 2 July 2015, and General Assembly resolution 65/215 of 21 December 2010,

Recalling further the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms,

* State not a member of the Human Rights Council.

* On behalf of the States Members of the United Nations that are members of the Group of Arab States.

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Welcoming the Global Leprosy Strategy 2016–2020, of the World Health Organization, and sharing the common aspiration to accelerate towards a leprosy-free world,

Recalling that leprosy is curable and that the human rights of persons with leprosy could be better protected by treatment provided in the early stages, which can prevent disability,

Deeply concerned that, in various parts of the world, persons affected by leprosy and their family members have faced and continue to face barriers to their participation as equal members of society, including isolation, discrimination and violations and abuses of their human rights, and conscious that greater attention is needed to address these challenges,

Reaffirming that persons affected by leprosy and their family members, including women and children, should be treated with dignity and are entitled to the enjoyment of all human rights and fundamental freedoms under customary international law, relevant conventions and national constitutions and laws,

Recognizing that persons affected by leprosy and their family members still face multiple forms of prejudice and discrimination stemming from misinformation about and misunderstanding of the disease throughout the world,

Recognizing also that specific attention is needed to address all forms of discrimination against persons affected by leprosy and their family members,

Bearing in mind the need to intensify efforts to eliminate all forms of prejudice and discrimination against persons affected by leprosy and their family members and to promote policies facilitating their inclusion, throughout the world,

Stressing the importance of implementing the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, submitted by the Advisory Committee in 2010,¹ to which Governments, relevant United Nations bodies, specialized agencies, funds and programmes, other intergovernmental organizations and national human rights institutions were encouraged to give due consideration in Council resolution 15/10 and General Assembly resolution 65/215,

Welcoming the final report of the Advisory Committee based on Council resolution 29/5 and the recommendations contained therein,

1. *Decides* to appoint, for a period of three years, a Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members, with the following mandate:

(a) To follow up and report on progress made and measures taken by States for the effective implementation of the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members¹ for the realization of the enjoyment of human rights by persons affected by leprosy and their family members in all regions of the world, and to make recommendations to the Human Rights Council in this regard;

(b) To engage in dialogue and consult with States and other relevant stakeholders, including United Nations bodies, specialized agencies, in particular the World Health Organization, funds and programmes, other intergovernmental organizations, regional human rights mechanisms, national human rights institutions and non-governmental organizations to identify, exchange and promote good practices relating to

¹ A/HRC/15/30, annex.

the realization of the rights of persons affected by leprosy and their family members, and to their participation as equal members of society with a view to achieving a leprosy-free world;

(c) To raise awareness of the rights of persons affected by leprosy and their family members and to combat stigmas, prejudices and harmful traditional practices and beliefs that hinder their enjoyment of human rights and fundamental freedoms and their participation in society on an equal basis with others;

(d) To report annually to the Human Rights Council, starting from its thirty-eighth session;

2. *Calls upon* all States to cooperate with the Special Rapporteur in the discharge of the mandate, including by providing all information requested, to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, and to consider implementing the recommendations made in the reports of the mandate holder;

3. *Encourages* all relevant stakeholders, including United Nations bodies, specialized agencies, funds and programmes, other international organizations, regional human rights mechanisms, national human rights institutions and non-governmental organizations to cooperate fully with the Special Rapporteur to enable him or her to fulfil the mandate;

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the human, technical and financial resources necessary for the effective fulfilment of the mandate;

5. *Encourages* the High Commissioner and the Special Rapporteur, in collaboration with States and with relevant international organizations such as the World Health Organization as well as concerned non-governmental organizations, to organize seminars on leprosy-related discrimination, at appropriate times and in appropriate locations, in order to widely disseminate the principles and guidelines and deepen the understanding of them among States and all other concerned stakeholders, ensuring substantial participation by persons affected by leprosy.

6. *Encourages* States, all relevant stakeholders, including United Nations bodies, specialized agencies such as the World Health Organization, funds and programmes, special procedures, other international organizations, regional human rights mechanisms, national human rights institutions and non-governmental organizations, to participate actively in the seminars;

7. *Decides* to remain seized of the matter.

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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Albania, Andorra,* Argentina,* Australia,* Austria,* Azerbaijan,* Belgium, Benin,* Bosnia and Herzegovina,* Botswana, Brazil, Bulgaria,* Canada,* Chile,* Colombia,* Croatia, Cyprus,* Czechia,* Denmark,* Estonia,* Fiji,* Finland,* France,* Georgia, Germany, Ghana, Haiti,* Honduras,* Hungary, Iceland,* Ireland,* Israel,* Italy,* Japan, Latvia, Lithuania,* Luxembourg,* Madagascar,* Mexico,* Montenegro,* Netherlands, Norway,* Panama, Peru,* Poland,* Portugal, Republic of Korea, Republic of Moldova,* Romania,* Rwanda, Serbia,* Slovenia, Spain,* Sweden,* the former Yugoslav Republic of Macedonia,* Tunisia, Turkey,* Ukraine,* Uruguay:* draft resolution

**35/... Accelerating efforts to eliminate violence against women:
engaging men and boys in preventing and responding to violence
against all women and girls**

The Human Rights Council,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child,

Reaffirming also the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences, and the United Nations Declaration on the Rights of Indigenous Peoples,

* State not a member of the Human Rights Council.



Recalling all relevant resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Security Council and the relevant resolutions and agreed conclusions of the Commission on the Status of Women, which, *inter alia*, affirmed that all forms of violence against women and girls must be prevented, condemned and eliminated,

Recalling also its resolution 32/19 of 1 July 2016, entitled "Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls", and General Assembly resolution 71/170 of 19 December 2016, entitled "Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence",

Welcoming General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: The 2030 Agenda for Sustainable Development", including the commitment of all States to achieve gender equality and the empowerment of all women and girls, and to eliminate all forms of violence against all women and girls in the public and private spheres,

Acknowledging the important role played by regional conventions, instruments, declarations and initiatives to combat violence against women and girls,

Taking note with appreciation of the World Health Organization global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls, and against children, building on existing work of the Organization, in particular its call for the prevention and elimination of all forms of sexual and other forms of gender-based violence in public and private life,

Taking note of the work of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents,

Expressing deep concern about the continued prevalence of violence against all women and girls in all its different forms and manifestations worldwide, and re-emphasizing that violence against women and girls violates, abuses or impairs their human rights and, as such, is completely unacceptable,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men which further reinforce gender stereotypes and barriers to women's and girls' full enjoyment of their human rights, and that all forms of violence against women and girls constitute a major impediment to their full, equal and effective participation in society, the economy and political and individual decision-making, as well as in leadership roles, hindering them from the exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men,

Reiterating the need to intensify efforts at all levels to prevent and eliminate all forms of violence against women and girls in the public and private spheres, including the need to challenge gender stereotypes and the negative social norms, attitudes and behaviours that underlie and perpetuate such violence,

Recognizing the particular risk of violence faced by all women and girls who suffer multiple and intersecting forms of discrimination, and stressing the urgent need to address all forms of violence and discrimination against them,

Expressing concern at institutional and structural discrimination against women and girls, such as laws, policies, regulations, programmes, administrative procedures or structures, services and practices that directly or indirectly restrict access to institutions, property and landownership, nationality, health care and services, education, employment

and access to credit, which negatively affect their empowerment and increase their vulnerability to violence, and compound the violence experienced,

Recognizing that violence against women is a manifestation of gender inequality and discrimination against women and girls and can impede their economic independence and impose direct and indirect short- and long-term costs on society and individuals, including, as relevant, lost economic output and the psychological and physical impact thereof, as well as expenses relating to health care, the legal sector, social welfare and specialized services,

Recognizing also that those who are exposed to or experience violence in childhood are at increased risk of becoming perpetrators of violence against women and girls, and therefore recognizing the need to prevent and eliminate violence against women and children in order to help to stop the intergenerational cycle of violence,

Expressing deep concern that during times of armed conflict and post-conflict, forced displacement and humanitarian crisis situations women and girls face a heightened risk of sexual and other forms of gender-based violence, and expressing concern about the lack of effective measures of accountability and redress as well as effective remedies, including access to health care and services, psychosocial support, legal assistance and socioeconomic reintegration services for victims of sexual violence,

Fully recognizing that everyone, including men and boys, benefits from the achievement of gender equality and that the negative impacts of gender inequality, discrimination and violence against women and girls are borne by society as a whole, and emphasizing, therefore, that men and boys, through taking responsibility themselves and working jointly in partnership with women and girls at all levels, are essential to efforts to prevent and eliminate all forms of discrimination and violence against women and girls,

Emphasizing the important role that men and boys can play in preventing and eliminating violence against women and girls, including by challenging gender stereotypes and the negative social norms, attitudes and behaviours that underlie and perpetuate such violence and further developing and implementing measures that reinforce non-violent actions, attitudes and values, and encouraging men and boys, alongside women and girls, as agents and beneficiaries of gender equality, to take an active part in efforts to prevent and eliminate all forms of violence and discrimination against women and girls,

Bearing in mind the important role men and boys can play when developing and implementing policies, programmes and strategies for gender equality and for preventing and eliminating violence against women and girls, and in this regard, recognizes United Nations and other strategies and initiatives that promote men and boys' involvement in gender equality, such as the "HeforShe" campaign, as tools in raising awareness of the crucial roles and responsibilities that men and boys play in the achievement of gender equality and the empowerment of women and girls,

Recognizing the importance of investment to close resource gaps for achieving gender equality and the empowerment of all women and girls, and that resources for gender equality initiatives for men and boys should build upon rather than compromise opportunities and resources for women and girls,

1. *Expresses outrage* at the persistence and pervasiveness of all forms of violence against women and girls worldwide;
2. *Recognizes* that violence against women and girls persists in every country in the world as a pervasive violation, abuse or impairment of human rights and is a major impediment to achieving gender equality and the empowerment of all women and girls,

sustainable development, peace, security and the internationally agreed development goals, in particular the 2030 Agenda for Sustainable Development;¹

3. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, including digital and online spaces, and notes the economic and social harm caused by such violence;

4. *Strongly condemns* all acts of violence against women and girls, whether these acts are perpetrated by State or non-State actors, and calls for the elimination of all forms of sexual and other forms of gender-based violence, including where perpetrated or condoned by the State;

5. *Recognizes* the critical role of women and girls as well as women's and youth organizations and organizations led by women and girls as agents of change, and in this regard urges States to meaningfully engage with women and girls as active and equal participants in the planning, design, implementation and monitoring of legislation, policies and programmes, including programmes aimed at engaging men and boys;

6. *Also recognizes* the critical role of men and boys in preventing and eliminating all forms of discrimination and violence against women and girls in both the public and private spheres, and urges States to design and implement national policies and programmes that address the roles and responsibilities of men and boys in the promotion of gender equality;

7. *Urges* States to condemn strongly and publicly all forms of violence against women and girls in all settings, public and private, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including by eliminating all harmful practices, such as child, early and forced marriage and female genital mutilation;

8. *Continues to express particular concern* at the systemic and structural discrimination and violence faced by women human rights defenders of all ages, and calls upon States to fulfill their obligations to prevent violations and abuses against all human rights defenders, including through practical steps to prevent threats, harassment and violence, and to combat impunity by ensuring that those responsible for violations or abuses, including all types of gender-based violence and threats, committed by State or non-State actors, are promptly brought to justice through impartial investigations;

9. *Calls upon* States to take immediate and effective action to prevent violence against women and girls by:

(a) Fully engaging men and boys, alongside women and girls, including community and religious leaders, as agents and beneficiaries of achieving gender equality and the empowerment of all women and girls as a contribution to the elimination of violence against women and girls;

(b) Addressing the root causes of gender inequality, including gender stereotypes and negative social norms, attitudes and behaviours, and socioeconomic drivers of violence, and unequal power relations such as patriarchal norms that view women and girls as subordinate to men and boys and that normalize, condone or perpetuate discrimination and violence against women and girls;

¹ General Assembly resolution 70/1.

(c) Designing, implementing and regularly monitoring the impact of national policies, programmes and strategies that address the roles and responsibilities of men and boys, including through transforming social-cultural norms and traditional and customary practices that condone violence against women and girls, counteracting attitudes by which women and girls are regarded as subordinate to men and boys or as having stereotyped gender roles that perpetuate practices involving violence or coercion, and aiming to ensure the equal sharing of responsibilities between women and men and girls and boys in unpaid care and domestic work, including through parental leave policies, and increased flexibility in working arrangements which would facilitate the equal sharing of responsibilities;

(d) Ensuring the promotion and protection of the human rights of all women and their sexual and reproductive health and reproductive rights in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and to strengthen health systems that make quality comprehensive sexual and reproductive health-care services, commodities, information and education universally accessible and available, including, inter alia, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and the prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, and recognizing that human rights include the right to have control over and to decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence;

(e) Strengthening measures to prevent and eliminate violence against, and victimization of, women and girls living with, at risk of and affected by HIV and integrating such measures into comprehensive HIV policies and programmes, while fully engaging men and boys to recognize that gender equality and positive social norms promote effective responses to HIV;

(f) Engaging, educating, encouraging and supporting men and boys to be positive role models for gender equality and promote respectful relationships, to refrain from and condemn all forms of discrimination and violence against women and girls, to take responsibility and be held accountable for behaviour, including behaviour that perpetuates gender stereotypes, including misconceptions about masculinities that underlie discrimination and violence against women and girls, to increase their understanding of the harmful effects of violence for the victim/survivor and society as a whole, and to ensure that men and boys take responsibility for their sexual and reproductive behaviour;

(g) Developing and implementing educational programmes and teaching materials, including comprehensive sexuality education, based on full and accurate information, for all adolescents and youth, in a manner consistent with their evolving capacities, with appropriate direction and guidance from parents and legal guardians, with the active involvement of all relevant stakeholders, in order to modify the social and cultural patterns of conduct of men and women of all ages, to eliminate prejudices and to promote and build decision-making, communication and risk reduction skills for the development of respectful relationships based on gender equality and human rights, as well as teacher education and training programmes for both formal and non-formal education;

(h) Developing, investing in and implementing evidence-based policies, strategies and programmes, and awareness-raising campaigns to promote respectful relationships, provide positive role models for gender equality and encourage men and

boys, alongside women and girls, to see themselves as agents and beneficiaries of the elimination of all forms of discrimination and violence against women and girls;

(i) Enacting or strengthening and enforcing laws and policies to eliminate all forms of violence and harassment against women of all ages in the world of work, including sexual harassment, so as to promote the realization of women's and girls' economic rights and empowerment and to facilitate women's full and productive employment and contribution to the economy, including by engaging men and boys to recognize the societal and economic costs of violence and harassment;

(j) Building on evidence-based research and policy initiatives and legislative approaches that support the constructive engagement of men and boys in preventing violence against women and girls, including in primary prevention, prevention skill-building, group education, community outreach, mobilization and mass media campaigns and early childhood gender equality education programmes and curricula;

(k) Measuring the effectiveness of policies and programmes to prevent violence against women and girls and address gender inequalities, including those aimed at engaging men and boys and understanding behavioural change as well as establishing the cost of violence against women and girls through collecting adequate and comprehensive disaggregated data and gender statistics to expose the costs of inaction, including through awareness-raising activities;

10. *Also calls upon* States to take immediate and effective action to respond to violence against women and girls and to protect all victims/survivors by:

(a) Ensuring that all initiatives on preventing and ending violence against women and girls aimed at engaging men and boys are designed and promoted with the aim of ensuring that the concerns of women and girls, their rights, their empowerment, their safety and their equal and meaningful participation in decision-making at all levels are prioritized;

(b) Ensuring that remedies for women and girls subjected to gender-based violence, whether judicial, administrative, policy or other measures, including shelters and protection orders, are women-centred, available, accessible, acceptable, age- and gender-sensitive and adequately address victims'/survivors' rights and needs, including by providing information and education on the importance of protecting confidentiality, preventing stigmatization, revictimization or further harm to victims, allowing reasonable time for women subjected to violence to come forward to seek redress if they choose, and ensuring reasonable evidentiary standards;

(c) Holding persons in positions of authority, such as teachers, religious leaders, traditional authorities, politicians and law enforcement officials, accountable for not complying with and/or upholding laws and regulations relating to violence against women and girls, in order to prevent and respond to such violence in a gender-sensitive manner, to end impunity and to avoid the abuse of power leading to violence against women and girls and the revictimization of victims/survivors of such violence;

(d) Taking practical and concrete steps, in law and in practice, to create a safe and enabling environment where women and girls can easily report incidents of violence and receive post-gender-based violence care, including by providing men and women, particularly law enforcement officials, health-care providers and other first responders, with human rights training to ensure services that are women-centred, responsive to trauma and free from discrimination or stigmatization, and that prevent re-victimization;

(e) Developing and implementing the establishment of rehabilitative services in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls and to reduce the likelihood of reoffending, and to

monitor and assess their impact and effect, while the safety, support and human rights of the victims/survivors remain their primary concern;

11. *Welcomes* the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note with appreciation of her reports;²

12. *Also welcomes* the panel discussion on violence against women and girls, held during the annual full-day discussion on women's human rights at the thirty-fifth session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the discussion to the Council at its thirty-seventh session;

13. *Requests* the United Nations High Commissioner for Human Rights, in consultation with the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations Population Fund and other United Nations funds, programmes and agencies, as well as Member States, international human rights mechanisms, civil society organizations and other relevant stakeholders, to prepare a report before the thirty-eighth session of the Human Rights Council to review promising practices and lessons learned, existing strategies and United Nations and other initiatives to engage men and boys in promoting and achieving gender equality, in particular efforts to challenge gender stereotypes and the negative social norms, attitudes and behaviours that underlie and perpetuate violence against women and girls, and to make recommendations for further action by States and the international community in this regard;

14. *Decides* to continue its consideration of the issue of the elimination of all forms of violence against women and girls, its causes and consequences, as a matter of high priority, in conformity with its annual programme of work.

² A/HRC/32/42 and Corr.1 and A/HRC/35/30.



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Agenda item 4

Human rights situations that require the Council's attention

Albania, Andorra,* Austria,* Belgium, Bosnia and Herzegovina,* Bulgaria,* Canada,* Croatia, Cyprus,* Czechia,* Denmark,* Estonia,* Finland,* France,* Germany, Greece,* Hungary, Iceland,* Ireland,* Italy,* Japan, Latvia, Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Monaco,* Montenegro,* Netherlands, Norway,* Poland,* Portugal, Romania,* Slovakia,* Slovenia, Spain,* Sweden,* United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

35/...Situation of human rights in Belarus

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolution 32/26 of 1 July 2016, and deploring the inadequate response and lack of cooperation by the Government of Belarus to the requests made by the Council in those resolutions, including the denial of access to the Special Rapporteur on the situation of human rights in Belarus and other special procedure mandate holders to the country, while acknowledging the growing openness of Belarus to cooperation with the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and the European Union.

Recalling also Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

1. *Welcomes the report of the Special Rapporteur on the situation of human rights in Belarus of 21 April 2017;¹*

2. *Expresses continued concern at the situation of human rights and fundamental freedoms in Belarus, especially the freedoms of peaceful assembly,*

* State not a member of the Human Rights Council.

¹ A/HRC/35/40.



association and expression, as demonstrated by the response of the Government of Belarus to the February and March 2017 peaceful protests; the continued allegations of torture and inhuman or degrading treatment by law enforcement and prison officers, which are not properly investigated by the authorities; the ongoing crackdown on human rights defenders and civil society organizations, many of which are denied registration, or raided by the authorities; the arrest of journalists in March 2017 and various infringements on freedom of expression, including by the media; and urges the Government to fully respect freedoms of expression, peaceful assembly and association;

3. *Deplores* the lack of response by the Government of Belarus to cases of arbitrary arrest and detention of political and social activists, the unwillingness of prosecutors to investigate cases of torture and cruel, inhuman and degrading treatment, the impunity of perpetrators of crimes involving human rights violations and abuses, the pressure on defence lawyers and the lack of effective legal remedies; and also deplores the absence of specific and comprehensive anti-discrimination laws, which affects individuals belonging to vulnerable groups and religious minorities;

4. *Reiterates its call upon* the Government of Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices to ensure that the provisions are clearly defined, consistent with its international human rights obligations and commitments, and are not used to impede or unduly restrict the exercise of any human right, and to invest in capacity-building and appropriate training of the judiciary and law enforcement agencies;

5. *Welcomes* the adoption by the Government of Belarus on 24 October 2016 of an inter-agency plan on human rights for the period 2016–2019 for the implementation of recommendations accepted by the Government of Belarus during the second cycle of the universal periodic review of Belarus and recommendations by some treaty bodies; encourages the Government to review and amend the plan by including recommendations by human rights mechanisms and by taking into account suggestions made by civil society organizations; and welcomes the submission of the fifth report by the Government on the implementation of the International Covenant on Civil and Political Rights, in March 2017;

6. *Notes* the continued attention paid by the Special Rapporteur to the issue of the death penalty in Belarus, and in particular expresses deep concern at its use without guarantee of due process and at the limited amount of relevant information with regard to its use, and, taking into account that transparency is a requirement of fair and effective criminal justice, requests the Special Rapporteur to continue to monitor developments and to make recommendations;

7. *Urges* the Government of Belarus, in the light of the developments in February and March 2017, to take all measures necessary to ensure the full independence and impartiality of the judiciary, to guarantee the right to a fair trial and the right to an effective review of sentences and convictions by a higher tribunal and to provide for the right of all defendants to freely choose legal representation throughout all proceedings;

8. *Recalls* that it welcomed the release of political prisoners in August 2015, and called for the full reinstatement of the civil and political rights of former political prisoners; however, political activists continue to be ill-treated and faced with invented charges, while there has been no progress on outstanding cases of enforced disappearance of political opponents;

9. *Urges* Belarus to implement without delay the comprehensive reform of the electoral legal framework and to address long-standing systemic shortcomings pertaining to the electoral legal framework and practices ahead of the local elections early in 2018, following the recommendations made by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, the European

Commission for Democracy through Law (the Venice Commission) and the Special Rapporteur;

10. *Again strongly encourages* the Government of Belarus to establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to engage actively in the implementation of the 2030 Agenda for Sustainable Development;²

11. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a period of one year, and requests the Special Rapporteur to submit a report on the situation of human rights in Belarus to the Human Rights Council at its thirty-eighth session and to the General Assembly at its seventy-third session;

12. *Urges* the Government of Belarus to fully cooperate with the Special Rapporteur, including by providing him access to visit the country in order to assist the Government in fulfilling its international human rights obligations and by considering implementation of his recommendations, and also urges the Government to extend full cooperation to thematic special procedures;

13. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with the assistance and resources necessary to allow the fulfilment of his mandate, and requests the latter to continue to monitor developments and make recommendations.

² General Assembly resolution 70/1.



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Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Azerbaijan,* Bolivia (Plurinational State of), Brazil, Costa Rica,* Cuba, Haiti,* Honduras,* Peru,* Timor-Leste,* Tunisia,* Venezuela (Bolivarian Republic of): draft resolution

35/... Consideration of the elaboration of a draft declaration on the promotion and full respect of human rights of people of African descent

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recalling the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international instruments,

Recalling also General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action,

Reaffirming the commitments contained in the Durban Declaration and Programme of Action with regard to people of African descent,

Recalling General Assembly resolution 68/237 of 23 December 2013, by which the Assembly proclaimed the International Decade for People of African Descent, commencing on 1 January 2015 and ending on 31 December 2024, with the theme "People of African descent: recognition, justice and development",

Recalling also General Assembly resolution 69/16 of 18 November 2014, in which the Assembly adopted the programme of activities for the implementation of the International Decade,

* State not a member of the Human Rights Council.

† On behalf of the States Members of the United Nations that are members of the Group of African States.



Recalling further all previous Human Rights Council resolutions on the comprehensive follow-up to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Recalling all its previous resolutions on the global elimination of the scourges of racism and racial discrimination,

Recalling also the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Taking note of all relevant reports of the Working Group of Experts on People of African Descent, as well as all relevant general recommendations of the Committee on the Elimination of Racial Discrimination,

1. *Recalls* General Assembly resolution 69/16 on the programme of activities for the implementation of the International Decade for People of African Descent, in which the Assembly recommended giving consideration to the elaboration of a draft United Nations declaration on the promotion and full respect of human rights of people of African descent;

2. *Notes with concern* that, despite advances in international and national law, racism, racial discrimination, xenophobia and related intolerance, direct and indirect, de facto and de jure, continue to manifest themselves in inequality and disadvantage against people of African descent;

3. *Notes* that people of African descent and Africans in the diaspora throughout the world constitute some of the poorest and most marginalized groups;

4. *Acknowledges* that people of African descent can suffer from multiple, aggravated or intersecting forms of discrimination based on other related grounds, such as age, sex, language, religion, political or other opinion, social origin, property, disability, birth or other status;

5. *Calls upon* all Member States to adopt effective measures to accelerate the realization of the programme of activities for the implementation of the International Decade, in partnership with other countries, intergovernmental organizations and civil society, as appropriate;

6. *Reaffirms* the importance of enhancing international cooperation for the promotion and protection of all human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

7. *Urges* States to ensure that activities and objectives for the International Decade are planned and implemented in accordance with paragraph 10 of the programme of activities for the implementation of the Decade, on the basis of full consultation and collaboration with people of African descent;

8. *Requests* the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action:

(a) To include in the programme of work for its sixteenth session a one-day meeting to consider the elaboration of a draft United Nations declaration on the promotion and full respect of human rights of people of African descent;

(b) To invite States, relevant United Nations bodies, funds and programmes, intergovernmental organizations, treaty bodies, special procedures, regional human rights mechanisms, civil society organizations, academia, national human rights institutions and

other relevant stakeholders to participate actively in the aforementioned discussions during the sixteenth session of the Intergovernmental Working Group;

9. *Requests* the Secretary-General to allocate the necessary resources to ensure the participation of civil society organizations, particularly people of African descent, as well as members of academia, in the meeting of the Intergovernmental Working Group, taking into account geographical and gender representation criteria;

10. *Requests* the Intergovernmental Working Group, through its Chair-Rapporteur, to report on the above-mentioned discussion, including any recommendations stemming therefrom, to the Human Rights Council at its fortieth session;

11. *Invites* the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as the Chair of the Committee on the Elimination of Racial Discrimination and the Chair-Rapporteur of the Working Group of Experts on People of African Descent, to participate in the session of the Intergovernmental Working Group and contribute to the aforementioned discussions, including issues related to the format and scope of a draft declaration on the promotion and full respect of human rights of people of African descent;

12. *Encourages* States to engage in national and regional consultations with a view to preparing for the session of the Intergovernmental Working Group;

13. *Decides* to remain seized of this important matter.



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Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Azerbaijan,* Bolivia (Plurinational State of), Brazil, Costa Rica,* Cuba, Haiti,* Honduras,* Peru,* Timor-Leste,* Tunisia,* Venezuela (Bolivarian Republic of): draft resolution

35/... Consideration of the elaboration of a draft declaration on the promotion and full respect of human rights of people of African descent

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recalling the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international instruments,

Recalling also General Assembly resolution 56/266 of 27 March 2002, in which the Assembly endorsed the Durban Declaration and Programme of Action,

Reaffirming the commitments contained in the Durban Declaration and Programme of Action with regard to people of African descent,

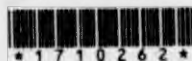
Recalling General Assembly resolution 68/237 of 23 December 2013, by which the Assembly proclaimed the International Decade for People of African Descent, commencing on 1 January 2015 and ending on 31 December 2024, with the theme "People of African descent: recognition, justice and development",

Recalling also General Assembly resolution 69/16 of 18 November 2014, in which the Assembly adopted the programme of activities for the implementation of the International Decade,

* State not a member of the Human Rights Council.

† On behalf of the States Members of the United Nations that are members of the Group of African States.

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Please recycle



Recalling further all previous Human Rights Council resolutions on the comprehensive follow-up to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action,

Recalling all its previous resolutions on the global elimination of the scourges of racism and racial discrimination,

Recalling also the three Decades for Action to Combat Racism and Racial Discrimination previously declared by the General Assembly, and regretting that the Programmes of Action for those Decades were not fully implemented and that their objectives have yet to be attained,

Taking note of all relevant reports of the Working Group of Experts on People of African Descent, as well as all relevant general recommendations of the Committee on the Elimination of Racial Discrimination,

1. *Recalls* General Assembly resolution 69/16 on the programme of activities for the implementation of the International Decade for People of African Descent, in which the Assembly recommended giving consideration to the elaboration of a draft United Nations declaration on the promotion and full respect of human rights of people of African descent;

2. *Notes with concern* that, despite advances in international and national law, racism, racial discrimination, xenophobia and related intolerance, direct and indirect, de facto and de jure, continue to manifest themselves in inequality and disadvantage against people of African descent;

3. *Notes* that people of African descent and Africans in the diaspora throughout the world constitute some of the poorest and most marginalized groups;

4. *Acknowledges* that people of African descent can suffer from multiple, aggravated or intersecting forms of discrimination based on other related grounds, such as age, sex, language, religion, political or other opinion, social origin, property, disability, birth or other status;

5. *Calls upon* all Member States to adopt effective measures to accelerate the realization of the programme of activities for the implementation of the International Decade, in partnership with other countries, intergovernmental organizations and civil society, as appropriate;

6. *Reaffirms* the importance of enhancing international cooperation for the promotion and protection of all human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

7. *Urges* States to ensure that activities and objectives for the International Decade are planned and implemented in accordance with paragraph 10 of the programme of activities for the implementation of the Decade, on the basis of full consultation and collaboration with people of African descent;

8. *Requests* the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action:

(a) To include in the programme of work for its sixteenth session a one-day meeting to consider the elaboration of a draft United Nations declaration on the promotion and full respect of human rights of people of African descent;

(b) To invite States, relevant United Nations bodies, funds and programmes, intergovernmental organizations, treaty bodies, special procedures, regional human rights mechanisms, civil society organizations, academia, national human rights institutions and

other relevant stakeholders to participate actively in the aforementioned discussions during the sixteenth session of the Intergovernmental Working Group;

9. *Requests* the Secretary-General to allocate the necessary resources to ensure the participation of civil society organizations, particularly people of African descent, as well as members of academia, in the meeting of the Intergovernmental Working Group, taking into account geographical and gender representation criteria;

10. *Requests* the Intergovernmental Working Group, through its Chair-Rapporteur, to report on the above-mentioned discussion, including any recommendations stemming therefrom, to the Human Rights Council at its fortieth session;

11. *Requests* the Secretary-General to allocate the necessary resources to ensure the participation of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as the Chair of the Committee on the Elimination of Racial Discrimination and the Chair-Rapporteur of the Working Group of Experts on People of African Descent, in the meeting of the Intergovernmental Working Group to contribute to the aforementioned discussions, including issues related to the format and scope of a possible declaration on the promotion and full respect of human rights of people of African descent;

12. *Encourages* States to engage in national and regional consultations with a view to preparing for the session of the Intergovernmental Working Group;

13. *Decides* to remain seized of this important matter.
